

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**NONA RICE,**

**Plaintiff,**

**v.**

**DON PECK'S TRANSPORTATION LLC,  
and FLEMING FURNITURE,**

**Defendants.**

**No. 08-0051-DRH**

**ORDER**

**HERNDON, Chief Judge:**

On January 30, 2008, Nona Rice filed a two complaint alleging negligence against Don Peck's Transportation, LLC and Fleming Furniture (Doc. 2). On May 13, 2008, Don Peck, on behalf of Don Peck's Transportation, LLC filed a "Reply" which was docketed as an Answer to Complaint (Doc. 12). The "Reply" states in part:

Due to no insurance for this complaint, I cannot find a [sic] attorney to defend Don Peck's Transportation LLC.

I request to defend myself if possible since I have no money or insurance and no attorney wants to defend me.

...

We are out of business and I strongly deny these claims.

This "Reply" is signed by Don Peck and it does not appear that Mr. Peck is a licensed attorney.

It is well-established that "a corporation may appear in the federal

courts only through licensed counsel.” **Rowland v. Cal. Men's Colony, Unit II Men's Advisory Council**, 506 U.S. 194, 201-02 (1993). “This rationale ‘applies equally to all artificial entities.’” **Id. at 202**. A “limited liability company also may appear in federal court only through a licensed attorney.” **Lattanzio v. Comta**, 481 F.3d 137, 140 (2nd Cir. 2007); *see also*, **Gilley v. Shoffner**, 345 F.Supp.2d 563, 556-67 (M.D. N.C. 2004); **Kipp v. Royal & Sun Alliance Pers. Ins. Co.**, 209 F.Supp.2d 962, 963 (E.D. Wis. 2002).

Thus, following **Kipp**, the Court **ORDERS** Don Peck’s Transportation, LLC to file an answer signed by an attorney within 30 days of this Order. **See 209 F.Supp.2d at 963**. Further, failure to comply with this Order shall result in entry of default and entry of default judgment. **Id.** Lastly, the Court **STRIKES** the “Reply” docketed as an Answer to Complaint (Doc. 12).

**IT IS SO ORDERED.**

Signed this 23rd day of May, 2008.

/s/ David R. Herndon

**Chief Judge**  
**United States District Court**